

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: LEUNG et al. Docket No.: 39766-0128A
Serial No.: 09/422,528 Group Art Unit: 1652
Filing Date: October 21, 1999 Examiner: Fronda, Christian L.
For: **PROCESS FOR BACTERIAL PRODUCTION OF
POLYPEPTIDES**

DECLARATION OF WOON-LAM S. LEUNG

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

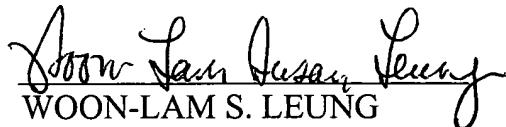
Dear Sir:

I, WOON-LAM S. LEUNG, do declare and say as follows:

1. I am an inventor of the above-identified patent application.
2. I am familiar with claims 1-25 under examination in the above-identified patent application.
3. I am a co-author of Leung et al., Book of Abstracts, 216th ACS National Meeting, Boston, August 23-27 (1998) BIOT-014 ("Leung et al. Abstract"), along with John C. Joly and James R. Swartz.
4. It is my belief, based upon my personal knowledge of the individual contributions of each of the co-authors inventors of the Leung et al. Abstract, and my understanding of the subject matter of claims 1-25 of the present application that the work relating to the recovery of refractile particles (RPs) containing a heterologous polypeptide, such as IGF-I, from bacterial periplasm in which the polypeptide is insoluble, is the joint invention of James R. Swartz and myself, and John C. Joly made no inventive contribution.

5. I declare further that all statements made in this Declaration of my own knowledge are true and that all statements made on information and belief are believed to be true and further, that these statements are made with the knowledge that willful statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent granted thereon.

Dated: 6/1/05


WOON-LAM S. LEUNG

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5/31/05 2:56 PM (39766.0128)

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PROCESS FOR BACTERIAL PRODUCTION OF
POLYPEPTIDES

PATENT & TRADEMARK OFFICE

DECLARATION OF JAMES R. SWARTZ

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

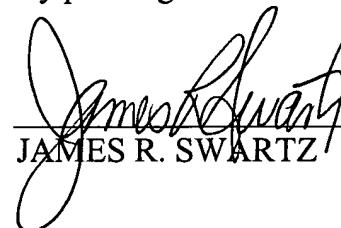
Dear Sir:

I, JAMES R. SWARTZ, do declare and say as follows:

1. I am an inventor of the above-identified patent application.
2. I am familiar with claims 1-25 under examination in the above-identified patent application.
3. I am a co-author of Leung et al., Book of Abstracts, 216th ACS National Meeting, Boston, August 23-27 (1998) BIOT-014 ("Leung et al. Abstract"), along with John C. Joly and James R. Swartz.
4. It is my belief, based upon my personal knowledge of the individual contributions of each of the co-authors inventors of the Leung et al. Abstract, and my understanding of the subject matter of claims 1-25 of the present application that the work relating to the recovery of reflectile particles (RPs) containing a heterologous polypeptide, such as IGF-I, from bacterial periplasm in which the polypeptide is insoluble, is the joint invention of Woon-Lam S. Leung and myself, and John C. Joly made no inventive contribution.

5. I declare further that all statements made in this Declaration of my own knowledge are true and that all statements made on information and belief are believed to be true and further, that these statements are made with the knowledge that willful statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent granted thereon.

Dated: June 2, 2005



JAMES R. SWARTZ

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5/31/05 3:17 PM (39766.0128)